

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	8:05CR422
)	
vs.)	ORDER
)	
DENNIS E. SMITH,)	
)	
Defendant.)	

This matter is before the court on the oral motion of defendant Dennis E. Smith (Smith) for a continuance of this case for trial made at the start of a hearing for Smith to change his plea on June 30, 2006. The motion will be granted. Smith agreed to the motion and stated he understood the additional time would be excluded under the Speedy Trial Act.

IT IS ORDERED:

1. Smith's motion to continue is granted.
2. Trial of this matter is re-scheduled for **August 1, 2006**, before Judge Laurie Smith Camp and a jury. The ends of justice have been served by granting such motion and outweigh the interests of the public and the defendant in a speedy trial. The additional **time** arising as a result of the granting of the motion, i.e., the time between **June 30, 2006 and August 1, 2006**, shall be deemed **excludable** time in any computation of time under the requirement of the Speedy Trial Act for the reason that defendant's counsel requires additional time to adequately prepare the case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(8)(A) & (B).

DATED this 30th day of June, 2006.

BY THE COURT:

s/Thomas D. Thalken
United States Magistrate Judge